

Remarks/Arguments:

The pending claims are 1-30 and 40-42. Claims 1-30 have been indicated as allowable. Claims 31-39 and 43-58 have been canceled. Claim 40 has been amended.

Applicants thank the Examiner for the indication that claims 1-30 are allowable. Applicants also thank the Examiner for the courtesy extended to the undersigned during the telephone conferences on January 12, 2009 and January 14, 2009 discussing claim 40 in view of the cited prior art as well as a proposed Supplemental Reissue Declaration.

Reissue Declaration

The originally filed Reissue Declaration is alleged to be defective for failing to properly identify any error in the claims. Applicants herewith submit a Supplemental Reissue Declaration that specifically addresses unduly narrow language in issued claims 1 and 25. Issued claim 25 was broadened in reissue claim 31, which has been canceled in the pending application and refiled in divisional application 10/788,966, which has been subsequently refiled in continuation application 12/107,859.

Applicants respectfully submit that the alleged defect in the Reissue Declaration has been cured and request withdrawal of the objection to the Reissue Declaration.

Claim rejections

Claims 40-42 have been rejected under 35 U.S.C. § 102(e) as anticipated by Martin (U.S. Patent No. 5,575,817). Independent claim 40 has been amended to further distinguish the claim from Martin. Support for the amendment may be found in U.S. Patent No. 5,855,598, of which this application is a reissue, Col. 11, lines 50-61. No new matter has been added.

Claims 41 and 42 ultimately depend from claim 40 and are allowable over Martin for at least the same reasons set forth above with respect to claim 40. Applicants respectfully request reconsideration and allowance of claims 40-42.

Appln. No.: 09/657,041
Amendment Dated February 9, 2009
Reply to Office Communication dated December 8, 2008

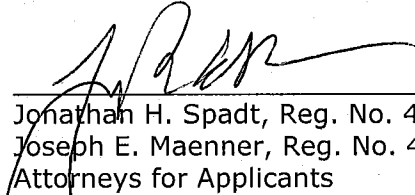
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Conclusion

Applicants respectfully submit that claims 1-30 and 40-42 are in condition for allowance and request an early indication of allowance.

Respectfully submitted,

RatnerPrestia



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Encl.: Supplemental Reissue Declaration

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